

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA-
ALEXANDRIA DIVISION

2019 JUN -6 P 1:18

CLERK OF DISTRICT COURT
ALEXANDRIA, VIRGINIA

SANJAY AGARWAL
11025 Georgetown Pike
Great Falls VA 22066

Case No. 1:19cv721-AJT-MSN

PLAINTIFF

v.

NOTICE OF REMOVAL OF STATE ACTION

IRVING POCASANGRE, et al.,
13508 Little Brook Dr
Clifton VA 20124
and Does 1 to 10, inclusive

DEFENDANTS

NOTICE OF REMOVAL TO U.S. DISTRICT COURT

To all parties and their counsel of record and the General District Court of the County of Fairfax, Commonwealth of Virginia, please take notice that the court case entitled as above - captioned, under Case No.: GV19012659-00, filed on May 20th, 2019 has been REMOVED TO THE UNITED STATES DISTRICT COURT - Eastern District of Virginia-Alexandria for further proceedings under USDC case no. as set forth, above. Said Removal shall divest and disqualify the Virginia General Disstrict Court from taking any further action in the underlying case for want of jurisdiction under 28 U.S.C. 1331, et al and FRCP Rule 11. A stay on these proceedings now

Notice of Removal of State Court Action Argawal v. Pocasangre, et. al.

1 exists.

2
3 2. A formal determination of real property rights are in issue in this action and must be
4 adjudicated as a condition precedent to a determination under the state case referenced. The
5 potential for an inconsistent lawsuit exists. There is a soon to be filed federal case the core
6 issue of which will be the egregious misconduct of a party **SANJAY AGARWAL** in this
7 action and their retained attorney ALAN J. CILMAN., and other defendants who orchestrated
8 the illegal taking of the real property belonging to defendant POCASANGRE IRVING via a
9 corrupt foreclosure fraud scheme which included the failure to notify or serve defendant
10 Pocasangre with any notices, warnings or legal actions required under the Va. Statutes
11 governing foreclosure matters while he sold his home in foreclosure ,the use of a cohersive
12 illegal lease agreement ,unjust enrichment, fraud and the effect of this misconduct as causing
13 Mr.Pocasangre and Mrs.Pocasangre to be deprived of their property in violation of the 5th and
14 14th Amendments to the U.S. Constitution without a scintilla of due process which has caused
15 him extreme and outrageously inflicted distress, harm and injury and violated other federal
16 statutes including the Fair Debt Collection Practices Act and Fair Credit Reporting Acts of
17 which this court is eminently aware.
18
19
20
21

22 The issues in that action materially affect the case now Removed and hence should be
23 consolidated with this matter in the interest if expeditious handling and to avoid conflicting
24 outcomes in several different forums. The removing party requests that the court take judicial
25 notice of this Related Action for all purposes upon filing of that anticipated matter within a
26 period of approximately three to four weeks.
27
28

Notice of Removal of State Court Action Argawal v.Pocasangre, et. al.

3. Within the civil complaint referenced in paragraph 2, above, material issues exist bear on the plaintiff's ability to assert rights within the Removed case. Plaintiff in this new matter Mr.Pocasangre and Mrs.Pocasangre will asserted various claims and remedies based on promises and contractual obligations between plaintiff and defendant which were alleged to have been breached by Mr. Sanjay, to plaintiff's detriment and injury. Defendant in this action, Irving Pocasangre cannot litigate this new matter to it fullest if the underlying Removed matter, which under the Virginia scheme of law does not fairly allow full litigation of title disputes and issues including the "taking of property without due process of law" envisioned within the 5th and 14th Amendments, attendant to such nor the further issues of provable prior and subsequent title to real property, legal standing and contractual breaches which have harmed plaintiff, which if proven would form the basis for a rescission and setting aside of the eviction process visited upon plaintiff Pocasangre reversing the conveyance loss of his primary residence, a single family home a unique asset for him and his mother Mrs. Pocasangre who believed and fail in an scheme of an straw buyer who did not make any payment for a year in the house nor put a single dime to the closing costs and now claims to be the owner just because he transferred the title, this kind of behavior is a criminal act who should be put it and exposed to the full extend of the law and has federal violations in question.

4.- A copy of this lawsuit will be also remitted for an investigation with the Department Of Justice , Attorney General ,MARK HERRING , the Virginia Bar Association with their Chair Counsel Mrs.Lisa Wilson for ethical misconduct and the Virginia Senate Judiciary Committee to stop Foreclosure scams in the Hispanic and another minority communities.

1 If proved, the state court action by Mr.Sanjay and other defendants would be deemed moot by
2 operation of law for want of title.

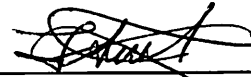
3
4 Also a quiet title action will take in place immediately.

5
6 Thus, this honorable court has much to gain by processing both matters in due course of
7 litigation which would resolve the conflicts and injuries alleged under one federal roof.

8
9 **4. No parties will be prejudiced** by this delay in prosecuting the Removed matter.

10 Pursuant to procedural requirements the entire Removed action file contents are attached as
11 Exhibit 1 to this Notice with a Certificate of Service upon the State Court.

12
13 6/6, 2019

14
15 

16 Irving Pocasangre, in pro se

**CERTIFICATE OF SERVICE OF NOTICE OF REMOVAL ON STATE COURT
AND COUNSEL**

On 6/6/19, 2019, I jointly served the State Court from which this instant
Removed action was taken and served a copy of this *Notice of Removal* and also upon the
attorney for the plaintiff as follows:

Attorney for Plaintiff served by U.S. Mail:

*ALAN J CILMAN

10474 Armstrong st. Suite 202

Fairfax VA 22030

*

State Court served by Personal Service:

Fairfax County General District Court - Clerk of the Court
4110 Chain Bridge Rd
Fairfax, Virginia, 22030

I declare under penalty of perjury that the foregoing is true and correct. Executed on

6/6 2019.



Irving Pocasangre,
Defendant *in pro se*

By Defendant in pro se:

IRVING POCASANGRE, et al.,)
13508 Little Brook Dr)
Clifton VA 20124
Tel:571-282-1618 email;

Notice of Removal of State Court Action Argawal v. Pocasangre, et. al.



Fairfax County General District Court

Civil Case Details

Fairfax County General District Court

Case Information

Case Number :	Case GV19012659-00	Filed Date :	05/14/2019
Case Type :	Unlawful Detainer	Debt Type :	

Name Search

Case Number Search

Hearing Date Search

Service/Process Search

Plaintiff Information

Name	DBA/TA	Address	Judgment	Attorney
AGARWAL, SANJAY				CILMAN, A

Defendant Information

Name	DBA/TA	Address	Judgment	Attorney
POCASANGRE, IRVING		CLIFTON, VA 20124		

Name Search

Case Number Search

Hearing Date Search

Service/Process Search

Hearing Information

Date	Time	Result	Hearing Type	Courtroom
06/07/2019	09:30 AM		Civil Hearing	2A

Service/Process

Reports

Judgment Information

Judgment :	Costs :	Attorney Fees :
Principal Amount :	Other Amount :	Interest Award :

Possession :	Writ Issued Date :	Homestead Exemption Waived :
Is Judgment Satisfied :	Date Satisfaction Filled :	Other Awarded :
Further Case Information :		

Garnishment Information**Appeal Information**

Appeal Date :	Appealed By :
----------------------	----------------------

[Back to Search Results](#)

Home | Virginia's Court System | Online Services | Case Status and Information | Court Administration | Directories | Forms | Judicial Branch Agencies | Programs

Build #: 6.0.0.5

Irving Pocasangre
13508 Little Brook Drive
Clifton, Virginia 20124
5712821619

May 26, 2019

Sanjay Agarwal
11025 Georgetown Pike
Great Falls, Virginia 22066
5712534167

RE: Cease & Desist

Dear Sanjay Agarwal:

It has come to my attention that you have made an unauthorized filing of a unlawful detainer (Eviction Process and Notice)to the property that me and my mother currently live and own, as you promised to help me saving the house which was going into foreclosure , I have realized that I have become a victim of fraud with a "Bait and Switch Scam" also Fraud and Deceit.

You the scammer, convinced me,Irving Pocasangre and my mother Bessy Pocasangre, the homeowners,that, if she was signing the documents to "bring their mortgage current." you will be saving our house and giving the house back to us, in 6 months ,which In reality, my mother was signing documents to transfer ownership of our home to you, the scammer.

Let me advise you that this action is penalized under the Commonwealth Virginia Laws and furthermore under the Justice Department's Criminal Division, to avoid further prosecution and investigation you must cease and desist.

I kindly ask you to close your case pending at the Fairfax County General District Court by the number GV19012659-00, to avoid further investigations under the office of Attorney General, Mark Herring, under the office of Financial Fraud Enforcement Task Force and another regulatory authorities from state and local enforcement.

I have also asked the help of the Virginia Senate in my district and their candidate Jasmine Moawad Barrientos and they are very interested in my case since I am part of the protected class as Latin and LGTB.

I demand that you cease and desist from this activity as soon as possible and, in any event, within 5 days from your receipt of this letter. If action is not taken by you to cease and desist within the given time frame, I will have no choice but to take appropriate legal action against you.

Sincerely,


Irving Pocasangre

Enclosure:

Trespass Notice, Mortgage Payments.

4/19 01:01 Posting Date: 05/14/19
2 Teller ID: 47627

king Wdr by Check Seq: 0117
unt Number: *****4995
nt: \$2,529.18
al Number: 0446543684
lable Balance: \$52.27

e Subject to Verification
k you for visiting Navy Federal

Contact Information

Phone: 1-855-690-5900
Customer Care: Monday - Friday 8:00 a.m. - 10:00 p.m. ET
Saturday 9:00 a.m. - 6:00 p.m. ET
Find us on the web at: www.freedommortgage.com

Loan Number: 0102554821
Payment Due Date: 06/01/19

Amount Due \$2,529.18**

If payment is received after 05/16/19, \$68.68 late fee will be charged.

Property Address: 13508 LITTLE BROOK DR
CLIFTON VA 20124

Account Information

Outstanding Principal \$296,556.58
Interest Rate 5.500%
Prepayment Penalty No.
Escrow Balance \$1,739.11
Unapplied Funds \$0.00

Explanation of Amount Due

Principal \$357.89
Interest \$1,359.22
Escrow/Impound (for Taxes and/or Insurance) \$812.07
Regular Monthly Payment \$2,529.18
Total Fees & Charges \$0.00
Overdue Payment \$0.00
Unpaid Late Charges \$0.00
Other/Optional Products \$0.00
Total Amount Due \$2,529.18**

Transaction Activity (04/09/19 - 05/01/19)

Transaction Description	Date	Interest Paid To Date	Transaction Effective Date	Transaction Amount	Interest Paid	Principal Paid	Escrow Paid	Late Charges Paid	Fees Paid	Optional Insurance	Unapplied Funds
Payment	05/01/19	05/01/19	05/01/19	\$2,529.18	\$1,360.85	\$356.26	\$812.07	\$0.00	\$0.00	\$0.00	\$0.00

TRESPASS NOTICE

TO: Sangay Agarwal
11025 Georgetown Pike
Great Falls, Virginia 22066

YOU ARE HERBY NOTIFIED NOT TO TRESPASS UPON THE
PROPERTY KNOWN AS, OR LOCATED AT:

13508 Little Brook Drive
Clifton, Virginia 20124

WHICH IS OCCUPIED BY OR, IN THE POSSESSION OF:

Irving Pocasangre, Bessy Pocasangre

YOU ARE FURTHER NOTIFIED THAT A VIOLATION OF THIS
NOTICE WILL SUBJECT YOU TO PUNISHMENT ACCORDING
TO VIRGINIA CODE 18.2-119

DATED THIS 26th DAY OF May 20 19

Jessy Vasquez
Notary Public
My Commission Expires on

02/20/20

